## REMARKS

Claims 1-27 are pending in the present patent application. Claims 1-27 stand rejected; and claims 9, 11, 15, 21, 23 and 24 also stand objected to. By the present Amendment, claims 12, 15 and 24 have been amended. This application continues to include claims 1-27.

Claims 9, 11, 15, 21, 23 and 24 were objected to due to informalities. Applicants respectfully request that the objection to claims 9, 11, 15, 21, 23 and 24 be withdrawn for the reasons set forth below.

Claims 9, 11, 21 and 23 were objected to as assertedly lacking proper antecedent basis for the term, "the Internet."

Each of claims 9, 11, 21 and 23 define wherein a "network is one of a local area network and the Internet."

MPEP 2173.05(e) provides that if the scope of a claim would be reasonably ascertainable by those skilled in the art, then the claim is not indefinite.

Applicants respectfully submit that the scope of claims 9, 11, 21 and 23 would be reasonably ascertainable by those skilled in the art, since "the Internet" is well known among those skilled in the art, and hence, claims 9, 11, 21 and 23 are not indefinite.

In addition, Applicants respectfully submit that claims 9, 11, 21 have 23 introduced the term, "Internet," in a manner consistent with prevailing claims practice and accepted by the U.S. Patent and Trademark Office.

For example, claims 2, 15, 35 and 41 of U.S. Patent No. 6,430,711 B1, cited in the present Office Action, each introduce the term, "Internet," in the form employed in Applicants' claims, namely, "the Internet."

Regarding claims 15 and 24, Applicants thank the Examiner for suggesting changes to make proper reference to antecedents, and have amended claims 15 and 24 consistent with the Examiner's suggestions.

Accordingly, Applicants respectfully request that the objection to claims 9, 11, 15, 21, 23 and 24 be withdrawn.

Claims 12 and 24 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

In particular, the Examiner indicates that the reference to "said network" on line 12 of claim 12 and line 14 of claim 24 could mean the first network or the second network.

Applicants respectfully submit that the subsequent language in each of claims 12 and 24, "receive said at least one networked printer status information via said second network," indicates that "said network" on line 12 of claim 12 and line 14 of claim 24 includes the second network.

In order to provide additional clarity, Applicants have amended claims 12 and 24 to replace "said network" with "said second network."

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that claims 12 and 24 are definite and do particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Applicants thus respectfully request that the rejection of claims 12 and 14 under 35 U.S.C. §112, second paragraph be withdrawn.

Claims 1, 2, 4-9, 13, 14, 16-21 and 25-27 were rejected under 35 U.S.C. §102(b) as being anticipated by Miyachi, U.S. Patent No. 6,108,492 (hereinafter, Miyachi). Applicants respectfully

request reconsideration of the rejection of claims 1, 2, 4-9, 13, 14, 16-21 and 25-27 in view of the following.

Miyachi is directed to devices such as multifunction peripherals which have advanced self-monitoring capabilities (col. 1, lines 20-22). A LAN 100 includes a file server 120, workstations 150, printers 180 and a Host 110b coupled to one another via network communications lines 160 (col. 4, lines 39-42). An MFP 110a (multifunction peripheral) is coupled to the Host 110b (col. 4, lines 46-47). A remote monitoring computer 170 is coupled to the Host 110b by a public switched telephone network 130; the remote monitoring computer 170 and public switched telephone network 130 are not part of the LAN 100 (col. 4, lines 49-53).

The status information is obtained from the MFP 110a and stored in a database preferably in the non-volatile rewritable data storage device 240 of host 110b (col. 8, lines 65-67, Fig. 2). Host 110b not only obtains the multifunction peripheral status information from the MFP's non-volatile rewritable data storage device 245 and stores this information in the database, but the processor 230, under programmed control also maintains in the database a history of this status information (col. 9, lines 10-16). A technician may access the Host 110b from a workstation 150 on the LAN 100 or the remote monitoring computer 170 via modem 260 (col. 9, lines 42-45).

Applicants believe that claims 1, 2, 4-9, 13, 14, 16-21 and 25-27 patentably define Applicants' invention over Miyachi for at least the reasons set forth below.

Claim 1 is directed to a printer monitoring system.

Claim 1 recites, in part, said first computer executing said first agent software to obtain said first printer status information from said first non-networked printer via said first peripheral connection, said first agent software forwarding via said first network said first printer status

information to said manager software executing on said monitor computer for storage in said database.

In contrast to the first computer executing the first agent software to obtain the first printer status information from the first non-networked printer via the first peripheral connection, the first agent software forwarding via the first network the first printer status information to the manager software executing on the monitor computer for storage in the database, Miyachi discloses that status information is obtained from MFP 110a and stored in a database preferably in the non-volatile rewritable data storage device 240 of host 110b (col. 8, lines 65-67, Fig. 2).

That is, the Miyachi host 110b stores status information in a database in host 110b, without forwarding the status information to workstation 150 or remote monitoring computer 170 for storage in a database.

Although Miyachi discloses that a technician may access the Host 110b from a workstation 150 on the LAN 100 or the remote monitoring computer 170 via modem 260 (col. 9, lines 42-45), Miyachi does not disclose, teach, or suggest software operating on host 110b that forwards the printer status information to manager software executing on workstation 150 or remote monitoring computer 170 for storage in a database.

Accordingly, for at least the reasons set forth above, Miyachi does not disclose, teach, or suggest the subject matter of claim 1. Claim 1 is thus believed allowable in its present form.

Claims 2 and 4-9 are believed allowable due to their dependence, directly or indirectly, on otherwise allowable base claim 1. In addition, claims 2 and 4-9 further and patentably define the invention over Miyachi.

For example, claim 6 is directed to the printer monitoring system of claim 1, wherein said first agent software is configured to receive corresponding printer status information from more than one non-networked printer directly connected to said first computer.

Miyachi simply does not disclose, teach, or suggest any software on host 110b receiving corresponding printer status information from more than one non-networked printer directly connected to host 110b.

In addition, Miyachi does not disclose, teach, or suggest any software or other system that is configured to receive printer status information from more than one non-networked printer directly connected to host 110b.

Hence, Miyachi does not disclose, teach, or suggest wherein the first agent software is configured to receive corresponding printer status information from more than one non-networked printer directly connected to the first computer, as recited in claim 6.

In rejecting claim 6, it is asserted that the Miyachi system supports the connection of multiple MFPs to a single client, with reliance placed on the passage at Miyachi column 5, lines 34-36.

Applicants have reproduced below the relied-upon Miyachi passage for the sake of convenience:

"To maximize efficiency, there is preferably a one-to-one correspondence between Hosts and MFPs." (Col. 5, lines 34-36).

Applicants respectfully submit that the relied-upon Miyachi passage does not disclose, teach, or suggest more than one non-networked printer directly connected to the first computer, as recited in claim 6, but rather, explicitly states the preference that there is a one-to-one correspondence between hosts and MFPs, i.e., only one MFP per host.

Accordingly, claim 6 is believed allowable in its own right.

Claim 7 is directed to the printer monitoring system of claim 1, further comprising at least one additional non-networked printer, each said at least one non-networked printer being in communication with said first computer via a corresponding peripheral connection, each said at least one additional non-networked printer having associated therewith a corresponding printer status information, wherein said first agent software is configured to obtain said corresponding printer status information from said at least one additional non-networked printer via said corresponding peripheral connection, said first agent software forwarding via said first network said corresponding printer status information to said manager software executing on said monitor computer, and said manager software configured to receive said corresponding printer status information from said first agent software and store said corresponding printer status information in said database.

Claim 7 is believed allowable in its own right for substantially the same reasons as set forth above with respect to claims 1 and 6.

Claim 13 is directed to a method for monitoring a printer.

Claim 13 recites, in part, executing on said first computer said first agent software to obtain said first printer status information from said first non-networked printer via said first peripheral connection, said first agent software forwarding via said first network said first printer status information to said manager software executing on said monitor computer; and executing on said monitor computer said manager software to receive said first printer status information and store said first printer status information in a database configured to store said first printer status information.

Claim 13 is believed allowable in its present form for substantially the same reasons as set forth above with respect to claim 1.

Claims 14 and 16-21 are believed allowable due to their dependence, directly or indirectly, on otherwise allowable base claim 13. In addition, claims 14 and 16-21 further and patentably define the invention over Miyachi.

For example, claim 18 is directed to the method of claim 13, said first agent software receiving corresponding printer status information from more than one non-networked printer directly connected to said first computer.

Claim 18 is believed allowable in its own right for substantially the same reasons as set forth above with respect to claim 6.

Claim 19 is directed to the method of claim 13, further comprising the step of executing on said first computer said first agent software to obtain corresponding printer status information from at least one additional non-networked printer via a corresponding peripheral connection, said first agent software forwarding via said first network said corresponding printer status information to said manager software executing on said monitor computer, and said manager software receiving said corresponding printer status information and storing said corresponding printer status information in said database.

Claim 19 is believed allowable in its own right for substantially the same reasons as set forth above with respect to claims 1 and 6.

Claim 25 is directed to a method for monitoring a printer.

Claim 25 recites, in part, receiving via said first peripheral connection said first printer status information; and transmitting via a first network said first printer status information to a monitor computer for storing in a database.

Claim 25 is believed allowable in its present form for substantially the same reasons as set forth above with respect to claim 1.

Claim 26 is directed to a method for monitoring a printer.

Claim 26 recites, in part, transmitting via said first peripheral connection said first printer status information to said first computer for transmission to a monitor computer via a first network for storage in a database configured to store said first printer status information.

Claim 26 is believed allowable in its own right for substantially the same reasons as set forth above with respect to claim 1.

Claim 27 is directed to a method for monitoring a printer, comprising the steps of: receiving first printer status information associated with a first non-networked printer from a first computer via a first network, said first non-networked printer in communication with said first computer via a first peripheral connection; and storing said first printer status information in a database configured to store said first printer status information.

Claim 27 is believed allowable in its own right for substantially the same reasons as set forth above with respect to claim 1.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Miyachi does not disclose, teach, or suggest the subject matter of claims 1, 2, 4-9, 13, 14, 16-21 and 25-27, and thus respectfully request that the rejection of claims 1, 2, 4-9, 13, 14, 16-21 and 25-27 under 35 U.S.C. 102(b) be withdrawn.

Claims 3, 10-12, 15 and 22-24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Miyachi in view of Sekizawa, U.S. Patent No. 6,430,711 B2 (hereinafter, Sekizawa). Applicants respectfully request reconsideration of the rejection of claims 3, 10-12, 15 and 22-24 in view of the following.

Sekizawa discloses a machine monitor system 1 made up of one integrated monitor unit, console unit 20, and a plurality of local monitor units, agent units 10 (col. 18, lines 48-53, Fig. 1). Agent unit 10 gets status information Ø1 indicating the operation state of each network printer P connected to the LAN 3a (col. 19, lines 22-24). Agent unit 10 prepares status mail (electronic mail) Ø2 storing the status information Ø1, adds the address of the console unit 20 to the status mail Ø2 and sends the status mail Ø2 via the router 4 to the Internet 6, after which the status mail Ø2 is stored in the mail server 19 of the provider with which the agency contracts (col. 19, lines 26-31).

Applicants believe that claims 3, 10-12, 15 and 22-24 patentably define Applicants' invention over the cited references, Miyachi and Sekizawa, taken alone or in combination, for at least the reasons set forth below.

Claims 3, 10-12, 15 and 22-24 are believed allowable due to their dependence on otherwise allowable respective base claims 1 and 13, since Miyachi does not disclose, teach, or suggest the subject matter of claims 1 and 13, and since Sekizawa does not make up for the deficiency of Miyachi as with respect to claims 1 and 13.

For example, Sekizawa does not disclose, teach, or suggest first agent software forwarding via the first network the first printer status information to the manager software executing on the monitor computer for storage in the database, as recited in claim 1, and does not execute on the monitor computer the manager software to receive the first printer status information and store the first printer status information in a database configured to store the first printer status information, as recited in claim 13.

Rather, Sekizawa discloses that agent unit 10 prepares status mail (electronic mail) Ø2 storing the status information Ø1, adds the address of the console unit 20 to the status mail Ø2

and sends the status mail Ø2 via the router 4 to the Internet 6, after which the status mail Ø2 is stored in the mail server 19 of the provider with which the agency contracts (col. 19, lines 26-31).

Thus, the status information is stored in a mail server that is not console unit 20, which does not disclose, teach, or suggest a monitor computer storing printer status information in a database.

In addition, claims 3, 10-12, 15 and 22-24 further and patentably define the invention over Miyachi and Sekizawa, taken alone or in combination.

For example, claim 10 is directed to the printer monitoring system of claim 1.

Claim 10 recites, in part, a second network, said monitor computer connected to said second network; and transmission software installed on said monitor computer, said transmission software configured to extract said first printer status information from said database and transmit said first printer status information across said second network.

Sekizawa does not disclose, teach, or suggest transmission software installed on the monitor computer, the transmission software configured to extract the first printer status information from the database and transmit the first printer status information across the second network, as recited in claim 10.

Rather, Sekizawa discloses that agent unit 10 gets status information Ø1 indicating the operation state of each network printer P connected to the LAN 3a (col. 19, lines 22-24), prepares status mail (electronic mail) Ø2 storing the status information Ø1, adds the address of the console unit 20 to the status mail Ø2 and sends the status mail Ø2 via the router 4 to the Internet 6, after which the status mail Ø2 is stored in the mail server 19 of the provider with which the agency contracts (col. 19, lines 26-31, Fig. 1).

Thus, Sekizawa does not disclose, teach, or suggest a monitor computer extracting printer status from a database and then transmitting the first printer status information across the second network, but rather, simply discloses receiving status information from each network printer and forwarding it via email on the Internet.

In addition, the asserted Miyachi monitor computer, remote monitoring computer 170, does not extract printer status from a database and transmit it across a second network.

Accordingly, the combination of Miyachi and Sekizawa would not yield Applicants' invention of claim 10.

Claim 10 also recites, in part, a data collection computer connected to said second network; and data reception software installed on said data collection computer, said data reception software configured to receive said first printer status information; said monitor computer executing said transmission software to extract said first printer status information from said database and transmit said first printer status information across said second network, said data collection computer executing said data reception software to receive said first printer status information via said second network.

Thus, the invention of claim 10 is a three-tier hierarchical computer system with printer status information flowing from a first computer to a monitor computer, and then to a data collection computer, wherein printer status information is obtained by the first computer connected to said first network (as recited in claim 1, from which claim 10 depends), which forwards via the first network the first printer status information to the monitor computer for storage in database, wherein the monitor computer then extracts the first printer status information from the database and transmits it across the second network to the data collection computer.

However, each of Miyachi and Sekizawa employ two-tier hierarchical computer systems, where the data is obtained from the printer by one computer and then forwarded to a second computer. Although Sekizawa discloses two networks, Sekizawa does not disclose, teach, or suggest the three-tier hierarchical computer system of Applicants' invention of claim 10, but rather, discloses a two-tier hierarchical computer system that uses two networks. Miyachi discloses a two-tier hierarchical computer system that uses a single network.

Even if, arguendo, Miyachi and Sekizawa could be combined to yield Applicants' invention, the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990) (MPEP 2143.01(III)).

Also, although a prior art device "may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so." 916 F.2d at 682, 16 USPQ2d at 1432, (MPEP 2143.01(III) (Emphasis added).

However, there is nothing in Miyachi and Sekizawa, taken alone or in combination, as might suggest the desirability of combining the teachings of those references or that otherwise provides a suggestion or motivation to do so.

Accordingly, it would not be obvious to combine Miyachi and Sekizawa in an attempt to yield Applicants' invention of claim 10.

Claim 10 is thus believed allowable in its present form.

Claims 12, 22 and 24 are believed allowable in their own respective rights for at least the reasons set forth above with respect to claim 10.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Miyachi and Sekizawa, taken alone or in combination, do not disclose, teach, or suggest the

subject matter of claims 3, 10-12, 15 and 22-24, and thus respectfully request that the rejection of claims 3, 10-12, 15 and 22-24 under 35 U.S.C. 103(a) be withdrawn.

For the foregoing reasons, Applicants submit that the appended claims are definite and do particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Moreover, Applicants submit that no combination of the cited references teaches, discloses or suggests the subject matter of the appended claims. The appended claims are therefore in condition for allowance, and Applicants respectfully request withdrawal of all rejections and allowance of the claims.

In the event Applicants have overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefor and authorize that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (317) 894-0801.

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